

July 13, 2001

BY FAX: (902) 566-7868

Mr. Larry Murray
Deputy Minister
Veterans Affairs Canada
P.O. Box 7700
Charlottetown PE C1A 8M9

RE: Mr. George Langen

Dear Mr. Murray,

It is regretted that I cannot provide further identification, but it is my understanding that your Department is aware of the file of the late Mr. George Langen.

The purpose of this letter is to enquire as to why your Department did not initiate an application into the possible War Disability Pension status of the late Mr. Langen, should grounds have existed to do so.

Last December, I was advised in a post-interview conversation with Ms. Wendy Kirschner of TVOntario that the widow of Mr. Langen was subsisting on an income from Veterans Affairs Canada of \$250.00 to \$300.00 a month.

I was also advised that the late Mr. Langen was suffering from a mental condition described by his son as being "Korsakoff's Psychosis, a kind of dementia of memory."

His son also had advised the Prime Minister of Canada, in a letter dated November 10, 2000, that his father had been severely injured in combat while serving as a member of the Canadian Army in Italy. The son, Mr. Roger Langen, advised that the incident was described in an official history of the Canadian Forces in Italy by Mr. G.W. Nicholson.

As you are aware, I initiated an enquiry to your Department, providing, in part, the information related to me by Ms. Kirschner.

Later developments would appear to indicate that officials of your Department were (or became) aware of the circumstances of Mr. Langen's injuries and the subsequent treatment.

The Service Bureau of The War Amputations of Canada attempts to provide assistance to ex-service personnel or their dependants in matters related to benefits. In order to do so, we must have at least some rudimentary details and, in order to obtain the necessary signature on an Appointment of Representative Form (copy attached), we need to know if a potentially eligible dependent exists who could sign the Form.

As you are aware, you advised me, quite properly, that the details in regard to what is known as "the Langen case" could not be provided to me.

I was satisfied with this information.

It would appear to me, however, that if your Department was administering the Pension Act in accordance with the intent and purpose, which reads:

The provisions of this Act shall be liberally construed and interpreted to the end that the recognized obligation of the people and Government of Canada to provide compensation to those members of the forces who have been disabled or have died as a result of military service, and to their dependants, may be fulfilled (Section 2);

an obligation existed for your staff to investigate the circumstances and determine whether an application could be initiated in the event that the late Mr. George Langen was a candidate for War Disability Pension, commensurate with his disability rating, which, it can be assumed, was at the maximum rate.

If it can be determined that the officials of your Department did not commence an investigation into the pension status of the late Mr. Langen, it would appear that a serious dereliction of duty has occurred.

On July 10, 2001, I forwarded to you a copy of a letter on this subject which I sent to the Chief Commissioner of the Royal Canadian Mounted Police following the publication of a news report in the *Ottawa Citizen*, suggesting that the handling of my request for information as to whether I might be advised of the pension status of Mr. Langen involved a violation of the federal government Privacy Act.

The news report resulted in a most embarrassing situation, where I was subjected to what was categorized as an "investigation" by an employee of the federal Privacy Commissioner. The news story carried the implication that, in some way, either I or Mr. Brian Forbes, the Secretary-General of the National Council of Veteran Associations, was somehow involved in what was described as a violation of the privacy legislation.

I would wish to make it clear that it is a matter of considerable resentment to me that what I considered to be a failure of responsibility on the part of the officials of your Department should have proved to be a situation of unfavourable public exposure to me and loss of income to my employer, The War Amputations of Canada.

I would appreciate a response to this letter at your convenience.

Yours sincerely,

H. Clifford Chadderton, CC, O.Ont., OStJ, CLJ, CAE, DCL, LLD
Chief Executive Officer

HCC/st

Attach.

Cc: News Editor, *Ottawa Citizen*